

Election/Restrictions

This application is in condition for allowance except for the presence of claims 17-21 directed to a group non-elected without traverse. Accordingly, claims 17-21 been cancelled.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Lauks teaches a fluid sample collection device (self-contained disposable sensing device 10) for collecting blood (column 3 lines 15-20), and for insertion and testing of said blood in an analyzer (reader 150), comprising:

a thin elongate body (body figure 2) having a finger-grip at one end (uneven shape of the device depicted in figure 3 effectively facilitates handling), and another functional insertion end (slotted opening 360, column 4 lines 20-25), said insertion end including, a collecting region (second conduit 224 to capillary 220 including orifice 108 depicted in an alternate view of the body in figure 4B, column 3 lines 15-20) including an entrance aperture (orifice 108) through which fluid enters a capillary tube (capillary 220) the device by capillary action and flows into said collecting region (column 4 lines 48-51),

a testing region (third conduit 228 to sensing arrays 66, column 4 lines 40-43) in fluid communication with said collecting region for containing at least a portion of said fluid during testing inside said analyzer (column 4 lines 25-30), said testing region comprises an open-ended channel (cavity 18 which is in conjunction with conduit 228 and 220),

a pumping region (third cavity 22 serves as air bladder 229; when air bladder is depressed, air is forced down a fourth conduit 234 into second conduit 224) in fluid communication with said open-ended channel of said testing region for introducing a pressure-differential (column 4 lines 43-45) and thereby inducting said fluid from said

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collecting region into said testing region for testing (See figures 2-3 column 4 lines 35-50).

Burns teaches in Figure 3A a device with channels passing through an elongated body from one external surface to another external surface (openings 20, 30 and 50) where fluid is actuated by a bubble pump ((column 8 lines 34-38). The device may be connected to a detection means (column 11 lines 1-10).

The aforementioned references do not teach or fairly suggest the elongate body comprising a cylindrical channel that is perpendicular to the capillary tube and is open to the external of the elongate body, where the cylindrical channel defines a circular aperture into the elongate body that is adapted for a sealed engagement with an external sensor and allows a portion of fluid to directly contact the external sensor while sealed in the testing region.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHARON PREGLER whose telephone number is (571)270-5051. The examiner can normally be reached on Mon - Fri 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, In Suk Bullock can be reached on (571)272-5954. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sharon Pregler/
Examiner, Art Unit 1772

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